

Serial No. 10/590,437  
Resp. dated April 15, 2009  
Reply to Office Action dated January 15, 2009

PATENT  
PD040024  
Customer No. 24498

## **REMARKS**

### **Status of the Claims**

- Claims 1-5, 7, 9, and 11-12 are pending in the Application after entry of this amendment.
- Claims 1-12 are rejected by Examiner.
- Claims 1, 7, 9, and 11 are amended by Applicant.
- Claims 6, 8, and 10 are cancelled.

### **Specification Amendments**

The Specification is amended to add appropriate section headers. Headers which are not relevant to the present specification, such as Statement Regarding Federally Sponsored Research or Development or The Names of Parties to a Joint Research agreement, or Compact Disc Material, or a Sequence Listing, are not amended into the Specification because they are not applicable to the present specification (See 37 CFR §1.77(c)).

Applicant submits that no new matter has been added as a result of this amendment.

### **Drawing Amendments**

Applicant amends Figure 1 to replace the German word “Daten” in items 12a and 12b with the English word “Data”. Applicant attaches a replacement Figure 1. Applicant submits that no new matter has been added as a result of this amendment.

### **Provisional Double Patenting Rejection**

Claims 1, 6, and 12 stand provisionally rejected under the judicially created doctrine of obviousness type double patenting as being unpatentable over Claims 1, 6, and 11 respectively of co-pending

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application No. 11/473,279 (Ref. A) having attorney docket number PD050054.

The present application, US Application No. 10/590,437, is a national phase application filed on August 23, 2006 claiming priority to PCT/EP05/000893 filed January 29, 2005.

The provisional double patenting rejection is based on claims of Ref. A Application No. 11/473,279 which is a national phase application filed on June 21, 2006, claiming priority to German Application No. 10 2005 029 737.4 filed on June 24, 2005.

Applicant notes that the present application was filed before the Ref. A application. Applicant notes that the present double patenting rejection may be overcome with a Terminal Disclaimer *filed in the Ref. A Application 11/473,279* if the claims of the present case are granted. A Terminal Disclaimer filed in the Ref. A application would limit the term of any claims granted in the Ref. A application to the term of the claims in the present case. The present double patenting rejection is provisional because both cases are currently pending, the present case was filed before the Ref. A application, and neither set of claims is in the state of allowance.

Applicant respectfully requests that the current provisional double patenting rejection be held in abeyance until the claims of the present case become allowable subject matter. Then, a Terminal Disclaimer, if still appropriate, may be filed in the Ref. A application.

Applicant respectfully submits that this approach is fully responsive to the current provisional double patenting rejection because claims of neither application are currently allowed and the present case, if granted, would nominally have a longer patent term than the Ref. A application by virtue of the earlier filing date of the present application.

### **Claim Rejections Pursuant to 35 U.S.C. §112**

Claim 8 stands rejected under 35 USC 112, second paragraph as being indefinite.

Applicant cancels Claim 8 without prejudice or disclaimer.

### **Claim Rejections Pursuant to 35 U.S.C. §102**

Claims 1-3, and 6-12 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Publication No. 2001/0024240 to Fujita et al. (Fujita). Applicant respectfully traverses the rejection via amendment.

A television production in a studio involves a plurality of audio, video, data and control signal sources. The signals originate from different kinds of sources and for a specific production different signals are used at the same time. The signals are provided from various sources to the inputs of many matrix switches and are routed through the switches to a predetermined output of the switch. It is desirable to prevent signal paths and signal path bundles from being broken by unlocking one or several signal paths during the production. The loss of a signal path from a signal bundle could result, for example, in audio that disappears for the associated video shot. In a news production, for example, the voice of the reporter would disappear while the viewer can still see the reporter on the screen. This is highly undesirable. The method according to amended claim 1 is directed at avoiding this situation by preventing a signal path forming part of a greater signal path bundle from being unlocked from the signal path bundle.

Independent Claim 1 is amended to incorporate the aspect that signal paths are bundled to form a jointly locked signal path bundle by combining and jointly locking two or more signal paths. This joint locking is advantageous in that it prevents any one of the signal paths from being unlocked from the bundle. This amendment finds support in now-cancelled Claims 6 and 10 and in the as-filed drawing of Figure 3 which depicts two signal paths that are jointly locked together.

Fujita describes a system having storage for previously used internal configuration for a single matrix switch 106 configuration. (See Fujita, Abstract and Figure 1). Fujita at paragraphs 0381-0384 and 0407 are cited in the present Office Action as disclosing the aspect that signal paths are jointly locked. Applicant respectfully disagrees.

Fujita at paragraphs 0381-0384 describes a correspondence between a number of operating consoles, output channels, and video signal processing units as shown in Figure 44. Paragraph 0407 describes assignment storing means that stores the assignments to the operator consoles and functions. However, Fujita at the above mentioned paragraphs fails to disclose anything concerning combining and jointly locking two or more signal paths to form a jointly locked signal path bundle and preventing an unlocking of any one of the two or more signal paths that form the jointly locked signal path bundle as recited in amended Claim 1.

Since Fujita fails to disclose the amended aspect of pending Claim 1, then Fujita cannot anticipate pending amended Claim 1 under 35 USC 102(b). Therefore, Applicant respectfully requests reconsideration and withdrawal of the 35 USC 102(b) rejection of amended independent Claim 1 and pending dependent Claims 2-3, and 7, 9, and 11-12.

### **Claim Rejections Pursuant to 35 U.S.C. §103**

Claims 4-5 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication No. 2001/0024240 to Fujita et al. (Fujita) in view of the Examiner's assertions. Applicant respectfully traverses the rejection.

As stated above with respect to independent Claim 1, Fujita fails to disclose all of the elements of independent Claim 1 upon which dependent Claims 4 and 5 depend. Thus, Applicant respectfully submits that the combination of Fujita and the Examiner's assertions fail to establish a *prima facie* case of obviousness against pending independent Claims 1 according to

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35 USC §103(a) because not all elements are found in Fujita. Since pending independent Claim 1 is patentably distinct over Fujita, then dependent Claims 4-5 are also patentably distinct. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the 35 U.S.C. §103(a) rejection of pending dependent Claims 4-5 because these claims patentably define over the cited art.

### **Conclusion**

Applicant respectfully submits that the amended pending claims patentably define over the cited art and respectfully requests reconsideration and withdrawal of all rejections of the pending claims. Applicant respectfully solicits reconsideration for a Notice of Allowance for all pending claims.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 07-0832 therefore.

Respectfully submitted,  
Arnd Paulsen

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